

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

CHRISTOPHER JEROME DAVIS

PETITIONER

VERSUS

CIVIL ACTION NO. 1:07-cv-1123HSO-RHW

CHRISTOPHER B. EPPS, et al.

RESPONDENTS

**MEMORANDUM OPINION AND ORDER ADOPTING PROPOSED
FINDINGS OF FACT AND RECOMMENDATION, DENYING PETITION
FOR WRIT OF HABEAS CORPUS, AND DISMISSING ACTION WITH
PREJUDICE**

This matter is before the Court on the Proposed Findings of Fact and Recommendations [13] of Magistrate Judge Robert H. Walker, entered in this cause on May 27, 2010. Judge Walker recommended that Petitioner Christopher Jerome Davis' Petition [1] for Writ of Habeas Corpus be denied. *See* Report and Recommendation, at p. 12. To date, Petitioner has not filed any objection to the Magistrate Judge's Proposed Findings of Fact and Recommendations. Where a party fails to file specific objections to a magistrate judge's report and recommendation, the district court reviews the report and recommendation for findings and conclusions that are clearly erroneous or contrary to law. 28 U.S.C. § 636(b)(1); *see also United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

The Court finds that the Magistrate Judge properly recommended that the Petition be dismissed. After referral of hearing by this Court, no objections having been filed as to the Proposed Findings of Fact and Recommendations, and the Court, having fully reviewed the same as well as the record and relevant law in this matter, and being duly advised in the premises, finds that the Proposed Findings of

Fact and Recommendations should be adopted in their entirety as the opinion of this Court.

IT IS, THEREFORE, ORDERED AND ADJUDGED that, the Proposed Findings of Fact and Recommendations [13] of Magistrate Judge Robert H. Walker, entered on May 27, 2010, should be, and hereby are, adopted in their entirety as the findings of this Court.

IT IS, FURTHER, ORDERED AND ADJUDGED that, the [1] Petition for Writ of Habeas Corpus filed by Petitioner Christopher Jerome Davis pursuant to 28 U.S.C. § 2254 should be and hereby is **DENIED**.

IT IS, FURTHER, ORDERED AND ADJUDGED that, this action is hereby **DISMISSED WITH PREJUDICE**. A separate judgment will be entered herein in accordance with this Order as required by Federal Rule of Civil Procedure 58.

SO ORDERED AND ADJUDGED, this the 10th day of November, 2010.

s/ Halil Suleyman Ozerden

HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE